IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

WP(C).No. 22932 of 2006(E)

PETITIONER:

K.O.ANNIE,
W/O.K.L.ANTONY, AGED 55 YEARS,
HEADMISTRESS, ST.FRANCIS HIGH SCHOOL FOR GIRLS
MATTOM (RESIDING AT KUTTIKKOTH HOUSE, P.O.VELUR,
THRISSUR DISTRICT- 680 601).

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA
SRI.T.V.VIJAYARAJAN

RESPONDENTS:
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1. THE STATE OF KERALA REPRESENTED BY THE
SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, TRIVANDRUM.

2. THE DIRECTOR OF PUBLIC INSTRUCTION,
JAGATHY, TRIVANDRUM-14.

3. THE DEPUTY DIRECTOR OF EDUCATION
AYYANTHOLE, THRISSUR DISTRICT.

4. THE DISTRICT EDUCATIONAL OFFICER,
CHAVAKKAD, THRISSUR DISTRICT.

5. THE MANAGER,
ST.FRANCIS SCHOOL, CORPORATE EDUCATIONAL AGENCY,
MATTOM- 680 602, THRISSUR DISTRICT.

R1 TO R4 BY GOVT. PLEADER (SHRI T.T. MUHAMMED)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C). NO. 22932 OF 2006 E

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE ORDER OF APPOINTMENT OF THE PETITIONER DATED 7.10.2005.

EXT.P2 TRUE COPY OF THE ORDER NO.76/05 OF THE MANAGER DATED 6.10.2005.

EXT.P3 TRUE COPY OF THE ORDER NO.B6-10950/05 OF THE DIST. EDL. OFFICER DATED 5.12.2005.

EXT.P4 TRUE COPY OF THE APPEAL PETITION FILED BEFORE THE DY. DIRECTOR OF EDN. DATED 21.12.2005.

EXT.P5 TRUE COPY OF THE ORDER NO.B4/30864/05/D. DIS. OF THE DY. DIRECTOR OF EDN. DATED 28.3.2006.

EXT.P6 TRUE COPY OF THE ORDER OF APPOINTMENT OF THE PETITIONER DATED 1.4.2006.

EXT.P7 TRUE COPY OF THE SENIORITY LIST OF TEACHERS.

// TRUE COPY//

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 22932 OF 2006 E

Dated this the 14th December, 2006

JUDGMENT

Petitioner challenges Exts.P3 and P5. Against Ext.P5, which is an order passed by the third respondent, Deputy Director of Education, refusing approval on the ground of management dispute, petitioner has an alternate remedy by filing a Revision Petition under Rule 92 Chapter XIV A KER. In such circumstances, the Writ Petition is disposed of relegating the petitioner to the pursuit of the alternate remedy. If the petitioner prefers a Revision Petition under Rule 92 Chapter XIV A KER before the first respondent, a decision will be taken thereon by first respondent in accordance with law, after hearing petitioner and fifth respondent and any other affected party, within a period of ten weeks from the date of filing of the Revision Petition. In view of the above, I am not going into the prayer seeking to quash Exts.P3 and P5.

K. M. JOSEPH, JUDGE

kbk.